

### **Amendments to Claims**

This listing of claims will replace all prior versions, and listings, of claims in the application:

#### **Listing of Claims:**

Claim 1. (previously presented) A transgenic oilseed plant that produces mature seeds in which the total seed fatty acid profile comprises at least 1.0% of at least one omega -3 polyunsaturated fatty acid having at least twenty carbon atoms and five or more carbon-carbon double bonds wherein said transgenic oilseed plant comprises in its genome at least two transgenic nucleic acid sequences encoding at least two different polypeptides and further wherein at least one polypeptide has desaturase activity and at least one polypeptide has elongase activity.

Claims 2-11. (cancelled)

Claim 12. (previously presented) The oilseed plant of Claim 1 wherein the polyunsaturated fatty acid is an omega-3 fatty acid selected from the group consisting of eicosapentaenoic acid (EPA), docosapentaenoic acid (DPA), and docosahexaenoic acid (DHA).

Claims 13-15. (cancelled)

Claim 16. (previously presented) Seeds obtained from the plant of Claim 1 or 12 wherein said seeds comprise the transgenes.

Claims 17 – 20. (cancelled)

Claim 21. (previously presented) Oil obtained from the seeds of the plants of any of Claims 1 or 12.

Claim 22. (withdrawn) Oil obtained from the seeds of the plants of any of Claims 1, 11 or 12 wherein the polyunsaturated fatty acid is an omega-3 fatty acid.

Claim 23. (withdrawn) Oil obtained from the seeds of the plants of any of Claims 1, 11 or 12 wherein the polyunsaturated fatty acid is an omega-3 fatty acid selected from the group consisting of EPA, DPA, and DHA.

Claim 24. (withdrawn ) Oil obtained from the seeds of the plants of any of Claims 1-10 wherein the polyunsaturated fatty acid is an omega-3 fatty acid and the total seed fatty acid profile further comprises less than 2.0% arachidonic acid.

Claim 25. (withdrawn) Oil obtained from the seeds of the plants of any of Claims 1-10 wherein the polyunsaturated fatty acid is an omega-3 fatty acid

selected from the group consisting of EPA, DPA, and DHA, and the total seed fatty acid profile further comprises less than 2.0% arachidonic acid.

Claim 26. (previously presented) The plant of Claim 1 or 12 wherein the oilseed plant is selected from the group consisting of soybean, Brassica species, sunflower, maize, cotton, flax, and safflower.

Claims 27-139. (cancelled)

Claim 140. (previously presented) A by-product obtained from the processing of the seeds obtained from a plant of any of claims 1 or 12.

Claim 141. (cancelled)

#### Remarks

Applicants thank the Examiner for the brief telephonic interview conducted on January 7, 2009. Applicants appreciate the Examiner's willingness to retransmit the papers Pair dated November 3, 2009 and reset the response date as Applicants never received the papers dated November 3, 2009.

The claims are resubmitted with the correct status identifiers.

Claim 16 has been retained as set forth in the Response dated April 17, 2008 and the status identifier reflects this.

As these changes are simply to address formalities, it is believed that no new matter has been added.

Applicants respectfully request entry of this Response and the Response After Final dated October 10, 2008 as it is believed that the instant response corrects the status identifiers of the claims previously presented in the Response After Final dated October 10, 2008.